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ABSTRACT

This paper describing offenders and components of the criminal justice system is the second of the five-part Comprehensive Community-Based Services for Offenders Information PAK that provides guidelines for developing a system to improve exoffender service delivery. (Parts 1 and 3, which also contain printed information, are available separately.) The first section discusses the offender in the community (Columbus-Franklin County, Ohio) and human and social services that they need. The second section deals with criminal law violations and consequences of those violations. In the following section administration of laws, crime, and justice is considered. The criminal justice system is described as a nonsystem, and its subcomponents/subsystems are explored, including police, court structure, and corrections. The final section addresses difficulties--both real and artificial barriers--offenders experience in their transition from incarceration to freedom. A glossary of criminal justice terms is appended. (YLB)

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COMPREHENSIVE COMMUNITY-BASED SERVICES FOR OFFENDERS INFORMATION PAK

PART 2

OFFENDERS IN AND FROM OUR COMMUNITY: COLUMBUS-FRANKLIN COUNTY, OHIO

by

Roger B. Allton

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
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COLUMBUS-FRANKLIN COUNTY MANPOWER CONSORTIUM

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CRIMINAL JUSTICE PROGRAM

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FOREWORD

No one can argue about the need for appropriate authorities to take action to address the problem of reducing crime and recidivism within our community. This project was designed to focus attention on the problem by developing a comprehensive service delivery system for ex-offenders. The materials contained in the "PAK" provide guidelines that can be used successfully in developing a comprehensive system to improve ex-offender service delivery. The success of this system lies not in words or publications but in the ability of people to do what is necessary to assist the ex-offender in becoming gainfully employed, well adjusted, contributing citizens.

This PAK of materials consists of five parts:

Part 1. How to Use the Comprehensive Community-Based Services for Offenders Information PAK

Part 2. Offenders in and from Our Community: Columbus-Franklin County, Ohio

Part 3. A System for Delivering Comprehensive Services for Offenders

Part 4. Videotape entitled BRANDED from the Department of Labor

Part 5. Audiotapes - Thoughts and Challenges

The authorities within the Columbus-Franklin County Department of Community Services are to be commended for their

insights in providing resources to address such an important problem. I wish to express my personal gratitude to Ms: Odella Welch, Dr. Michael Hock, Mr. Greg Ide, and other members of the staff of the Department of Community Services for their support and cooperation in completing project activities. I also wish to express my sincere appreciation to the people who attended the three Community Awareness Workshops. The insights and suggestions they provided were very beneficial to the planning grant.

Recognition is extended to the members of the Board of Consultants listed below whose input was invaluable in conducting the grant. Special thanks go to Mr. Christopher Kloth for serving as the Chairperson of the Board.

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I express my gratitude to Roseann Pavlick and Barbara Cherry for their assistance in typing these reports, and to Janet Kiplinger and her staff in editing the final draft.

This report is disseminated with the expectation that its contents will apprise the reader of the seriousness of the problem regarding ex-offenders and that appropriate officials can take the necessary action to begin to address the problem in a realistic and systematic fashion.

Robert E. Taylor
Executive Director
The National Center for Research in
Vocational Education
The Ohio State University

INTRODUCTION

The purpose of this portion of the PAK is to acquaint the reader with who offenders are, and the processes of the criminal justice system. No doubt, most readers will be unfamiliar with offenders and the criminal justice system as they exist in our society today.

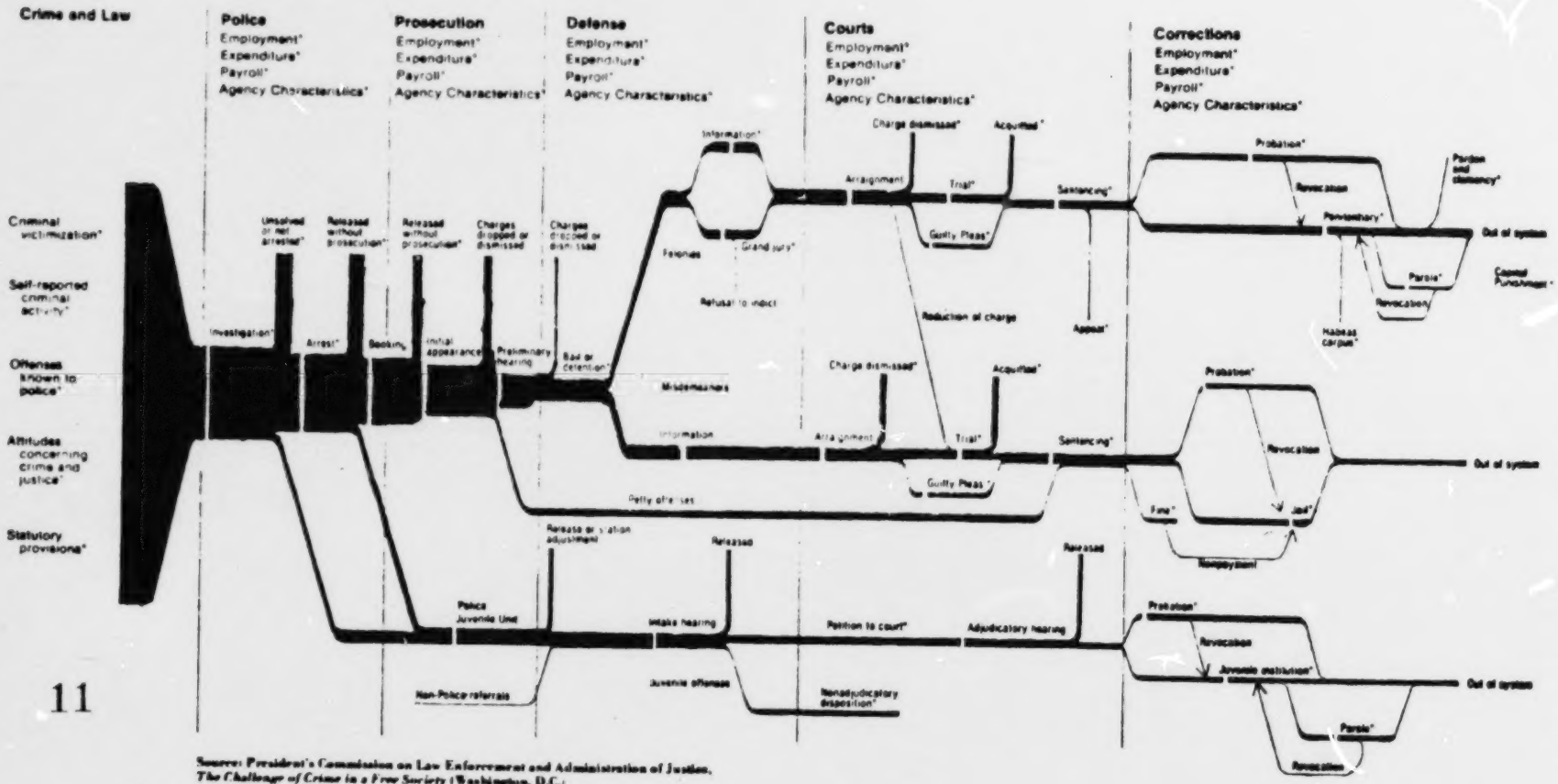
The objective of this portion of the PAK is to examine the characteristics of offenders and components of the criminal justice system the researchers felt were important. In the first sections, we have discussed the offender in our community. The following section contains discussion about the components of the criminal justice system. The figure on the following page indicates the vast complexities of criminal justice in our country. There is some concern that the criminal justice system is a multiplicity of subcomponents through which some offenders pass. Each subcomponent, in many ways, is an isolated and independent governmental organization within the system.

It is hoped that the reader who is unfamiliar with offenders and the criminal justice system, after reading this portion of the PAK, will become more familiar with the system and will better understand the other sections of the PAK.

FIGURE 1

An overview of data included in the *Sourcebook of Criminal Justice Statistics 1978*

NOTE: *This figure has been adapted from the President's Commission on Law Enforcement and Administration of Justice to indicate areas in the criminal justice system for which data have been included in the Sourcebook. These areas are marked with asterisks (*). Using the criminal justice headings in this figure, the reader may refer to the index at the end of the Sourcebook to locate relevant data.*



11

12

Source: President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, D.C.: U.S. Government Printing Office, 1967), pp. 8, 9.

WHO ARE OFFENDERS?

The offender can be thought of as one of us, with one essential difference. This citizen has had an encounter with the criminal justice system. Generally, we can exclude from our definition of the offender those citizens involved in minor traffic cases. Persons arrested by the police are thought of as suspects until determined guilty by a court of law. In this section we will consider offenders as those who have had an encounter with the criminal justice system. They may be called: suspects, arrestees, incarcerates, ex-incarcerates, inmates, offenders, ex-offenders, and the like. Surprisingly, these citizens are much like you and I; however, their backgrounds, social standing, and life achievements or failures may be quite different.

Typically, offenders are "disadvantaged," uneducated, untrained, have no marketable skills, and have different attitudes and morals from the societal norm. However, some offenders may be found in middle-class suburban communities in and around the greater Columbus area. The specific causes of their criminal behavior have not been determined; however, there are some indicators as to possible reasons for their antisocial behavior. Some of these might be: broken homes, delinquency history, abusive parents, substandard schools, lack of opportunities, unjust systems, poverty, subculture pressure, peer pressure, lack of adequate role models, drug abuse, violent

tendencies, urges to be socially unacceptable, repeated juvenile offenses, reincarcerations, and the like.

Our Community

Columbus and Franklin County can be characterized as a middle-American community with light industry, having a population of approximately nine hundred thousand persons. The population of incarcerated individuals in this area amounts to approximately three thousard to four thousand annually. As is typical of most American urban communities, our offenders, and most of our crime, come from the inner-city area of Columbus rather than from the rest of Columbus-Franklin County.

The location of crime in general is not specific; however, large portions of crime and criminal activity occur in the poorer residential/commerical areas of Columbus. Crime occurs anywhere; anyone can become a criminal or be victimized. However, a review of the most recent police Uniform Crime Reports for Franklin County would probably indicate that major crimes are increasing in the city of Columbus and the Franklin County communities, as well as throughout the nation.

Offender Demographics

Persons who live in lower income, blighted residential, or commercial areas are an at-risk-population. Due to their poor circumstances and limited neighborhood resources, the propensity for crime to occur is much higher than in the middle to upper

middle-class neighborhoods. Additionally, structuralist Robert K. Merton argues that "persons located in the less advantaged segments of our society experience a definite pressure to engage in non-conforming rather than conforming conduct" (Lundman, 1980, p. 6).

It seems logical, that local resources and efforts would be placed in those neighborhoods, but such is not the case. Although crime and the question of what to do with offenders are both community problems, they are not given a priority for community resources.

Offenders' Human and Social Needs

It is difficult to determine when a person begins criminal behavior. However, most crime starts with juvenile offenses such as school problems, problems with parents, and drug abuse, resulting in encounters with law enforcement agencies.

Involvement with the criminal justice system can be a traumatic experience in anyone's life. Adjustment to a life of crime and the criminal justice system, however, appears to become normal experiences for those most involved.

During the periods of involvement with the criminal justice system, many personal and family needs develop, such as bail/bond, counseling, family income, legal representation, and understanding of the criminal justice process. After offenders are released, they may require many human and social services. These needs may be limited to retraining for a particular occupation, or may be as extensive as counseling, guidance,

financial subsistance, reeducation, job readiness training, and so forth. More of these human and social needs will be discussed in greater detail in the following section entitled, "Transition from Incarceration to Freedom."

LAWS AND CRIME

Criminal Law

To a greater degree, this section will deal with criminal law violations and the consequences of those violations. Criminal law in this country is based on English Common Law. However, in recent times, criminal laws in most states have been recodified and revised, i.e., the Ohio Revised Code, Title 29, Ohio Criminal Rules, 1975.

Criminal laws indicate those actions that society deems nonnormative behavior. The laws defining this deviant behavior vary from state to state, as does sentencing for certain crimes.

The purpose of the law is to have some mechanism to define and establish deviant or nonnormative behavior. The laws are established by the federal, state, and local governments. All laws cannot be enforced; therefore, our society functions through the use of individual voluntary compliance to those laws. Otherwise, we would have anarchy instead of order.

There are many factors that may contribute to deviant or criminal behavior. Some of them might be: an interest in guns, poverty, broken families, drugs, unemployment, and so forth. There is much speculation as to crime causation; however, nothing has been determined as conclusive or final in making a determination as to what actually causes crime.

Classification of Crimes

Crimes can be broken down into two general categories; namely, felonies and misdemeanors. Normally, the more serious or Part I crimes would call for a sentence of a year or more and/or a fine when the individual is convicted. Conviction for less serious crimes, called misdemeanors or Part II crimes, would require a sentence of a year or less and/or a fine.

There is another grouping of crimes that are not as serious, and if convicted, the individual could receive a fine or less than thirty days in jail. The laws that define and govern these crimes are local ordinances, rules, and regulations established by municipalities or jurisdictions.

ADMINISTRATION OF LAWS, CRIME, AND JUSTICE

The administration of laws, crime, and justice is better described in the following sections where we look at the subcomponents of the nonsystem, e.g., law enforcement, courts, and corrections. It is hoped that the reader may easily review our description of these subcomponents, even though there is often no interrelatedness between subcomponents. Coordination between subcomponents is lacking, which makes a thorough analysis and understanding difficult. Despite this lack of correlation, the following sections will clarify and explain the system or nonsystem and its subcomponents for the person not familiar with the criminal justice system.

Criminal Justice Nonsystem

A brief explanation of this title is in order for the reader to understand what is meant by a nonsystem. The criminal justice system has not changed much in the last one hundred years. It is still comprised of subsystems called police, courts, and corrections. The recent move has been to have social systems or programs precede the subsystem or be interdependent with subcomponents of the system. These social systems, as mentioned earlier, are in some cases new additions to the criminal justice nonsystem. Thanks to the efforts of criminal justice system reformers, the Law Enforcement Assistance Administration, and others, some new and in some

cases innovative approaches have been tried. Many millions of dollars later, the criminal justice nonsystem still remains a nonsystem.

Some have claimed that this series of subsystems should be eliminated and replaced with a more comprehensive, viable system to handle the offenders in our communities. No one likes the system as it is, but the reasons why (from radical right to left) vary so widely that no compromise occurs. This may be the reason why there are few changes in the system. The failures of the system are represented by the offenders and victims who are products and recipients of an ineffectual nonsystem. Systematization of criminal justice and its agencies might be a solution; however, only isolated attempts have been made in this country to this effect. In the following sections we will briefly explore those subsystems, e.g., police, courts, and corrections. An attempt has been made to preview these subsystems to acquaint the reader with each subsystem nationally and to provide some insights into the complexities of our local criminal justice system.

Police

Since the establishment of the first distinctly modern police agencies during the late nineteenth century in this country, police departments, or any other enforcement agency for that matter, have not undergone any major significant changes. Policing, although quasi-military in most communities, is varied in style in Franklin County, with no two departments exactly

alike. The styles might be watch, legalistic, or just service oriented. The community size, location of the governing body, and chief of police, will all influence the police departments' style. Hence, you have subcomponents within the police portion of the criminal justice system in Franklin County.

In Franklin County alone there are approximately forty law enforcement agencies (see figure 2). The diversity ranges from federal, state, county, municipal, village, and township policing agencies. Considering this factor alone, it is no wonder we have called the criminal justice system a nonsystem; even though many offenders end up in the Columbus or Franklin County jail system. No one is saying that these subcomponents of police are good or bad. What we are attempting to point out is the complexity of the law enforcement subcomponent of the criminal justice system.

No better way has been devised to better protect the citizens of Franklin County. Each jurisdiction takes care of itself wnile using facilities and human resources from nearby agencies as necessary.

FIGURE 2

COUNTY-CITY LAW ENFORCEMENT

Federal Law Enforcement

Internal Revenue Service (Criminal Investigation Division)
200 North High

Drug Enforcement Administration
85 Marconi

U.S. Attorney
84 Marconi

U.S. Marshal
85 Marconi

Bureau of Alcohol, Tobacco, & Firearms
85 Marconi

Postal Service (Postal Inspector)

State Law Enforcement

Ohio State Highway Patrol
660 East Main Street

Attorney General (Bill Brown)

Bureau of Criminal Identification and Investigation
London, Ohio

Criminal Activities
30 East Broad

Liquor Control Department
2323 West 5th Avenue
Enforcement

County Law Enforcement

Franklin County Sheriff's Department
370 South Front Street

Municipal Law Enforcement

Columbus Police Division
120 West Gay Street

FIGURE 2 (Cont'd.)

COUNTY-CITY LAW ENFORCEMENT

Other Law Enforcement

Commercial Point
Darbydale
Dublin
Franklin Township
Gahanna
Galena
Genoa
Grandview
Grove City
Hilliard
Jackson Township
Kirkersville
Lockbourne
Madison Township
Mt. Sterling
New Rome
Obetz
Orient
Pataskala
Perry Township
Powell
Reynoldsburg
Sharon Township
Sunbury
Upper Arlington
Urbancrest
Westerville
Whitehall
Worthington

Courts

The intent and purpose of this section is to look at and describe the present court structure in the United States today.

To begin an overview of our present court structure, one must first remember that the United States Constitution provided for federal courts in Articles I and III, and that each state also provides its own courts in their constitution or by laws passed by their state legislature.

Under Articles I and III of the United States Constitution, our federal judiciary system is divided into two district judicial systems; Article III provides for the Constitutional Court System, and Article I provides for the Federal Legislative Court System. Each system is comprised of its own courts and jurisdictions.

To begin with, the Constitutional Court System is comprised of three courts: (1) the highest court in the land, the United States Supreme Court, (2) the United States (Circuit) Courts of Appeals, and (3) the United States District Courts. Also under the Constitutional Courts is the (4) United States Customs Court, the (5) United States Court of Claims, and the (6) United States Court of Customs and Patent Appeals. The first three courts mentioned, the United States Supreme Court, the United States Circuit Courts of Appeals, and the United States District Courts are the three original Constitutional courts. All six courts mentioned serve in a judicial role and render declaratory

judgments "to all cases," in law and equity arising under the Constitution (Abraham, 1969). (See figure 3.)

Article I of the United States Constitution provides for the Legislative Courts System that is presently comprised of two inferior tribunals: one is the United States Court of Military Appeals, and the second is the Territorial Courts. Their purpose is nonjudicial or quasi-judicial in nature. They also handle administrative and/or quasi-legislative judicial tasks. These two types of courts aid in the administration of particular congressional statutes and are empowered to render advisory opinions and declaratory judgments (Abraham 1969). The dual judicial system is also present when comparing federal and state judicial systems. However, the United States Supreme Court operates as a single system.

The next system to be viewed is the state judicial system, which varies from state to state, and a view of these systems must be broad and general. Each state has a supreme court, but it may be called the Supreme Judicial Court or the Final Court of Appeals. The state supreme court is the highest court in the state judicial hierarchy. Its decision constitutes the law of the state and its decisions are final and binding.

The next level of state courts is the Court of Appeals, also called the Intermediate Court of Appeals, the State Appellate Court, the Appellate Division, or the Superior Court. The Court of Appeals is the court to which appeals come up from courts below in accordance with statutory requirements.

The next judicial area within each state to be identified is the County Court, which is also called the Circuit Court, the Quarter Sessions Court, Common Pleas Court, Orphans Court, Probate Court, Domestic Relations Court, Juvenile Court, Equity Court, Surrogate Court, or the Chancery Court. These are courts of original jurisdiction with broad civil and criminal jurisdiction, in which juries are used quite frequently.

The next state judicial court system to be viewed is the Municipal Court, also called the City Court, Traffic Court, Court of Small Claims, Night Court, or Police Court. These courts have original jurisdiction and are courts of record with the authority to impose limited fines up to $1,000 in civil and minor criminal cases. (See figure 4 for a list of the local courts of jurisdiction.)

The last state juridical system to be viewed, which is not predominant in all states, is the "JP" courts. Other names for these courts are Justice of the Peace Court, Justice for the Plaintiff Court, Magistrate Court, or the Squire Court. This is the oldest court. It has its origin in the fourteenth century as an Anglo-Saxon court of the land. The jurisdiction of these courts varies from state to state but is generally county, city, township, and/or towns. The Justice of the Peace Court handles minor civil matters and criminal misdemeanors.

Also within the judicial structure of the court systems in the United States are many other agencies and individuals who play an important role in the judicial structure. This list

contains some of the important agencies and individuals: judges, prosecutors, defense attorneys, probation officers, parole officers, public defenders, clerks, and juries. (See the glossary of criminal justice terms at the end of this text for definitions of these terms.)

In conclusion, it is felt that a brief overview of the judicial structure of court systems in the United States does not adequately describe the system. However, an attempt has been made here to view each system and explain each system briefly.

FIGURE 3

UNITED STATES CONSTITUTIONAL JUDICIARY SYSTEM*

1-Supreme Court of United States, 9 Judges

Original and appellate jurisdiction in actions or controversies:

1. Between United States and a state
2. Between two or more states
3. Involving foreign ambassadors
4. Commenced by a state against citizens of another state or aliens, or against a foreign country

Appellate jurisdiction from:

1. All lower federal constitutional courts, legislative courts, and territorial courts
2. Highest state courts, or a substantial federal question

11-United States (Circuit) Courts of Appeals, 97 Judges

Appellate jurisdiction only from:

1. United States District Courts
2. United States Territorial Courts, United States Tax Court
3. United States Independent Regulatory Commission
4. Certain federal administrative agencies

93-United States District Courts, approximately 346 Judges

Original jurisdiction over:

1. All crimes against the United States
2. Civil actions over $10,000 involving Constitution, laws, treaties
3. States' citizens
4. Admiralty, maritime, prize cases

Special Federal Courts--Article I Legislative Court System (Congressional)

U.S. Customs Court

U.S. Court of Claims

*Abraham, Henry Julian. The Judiciary: The Supreme Court in the Governmental Process. Boston: Allyn and Baron, 1969, p.

FIGURE 3 (Cont'd.)

UNITED STATES CONSTITUTIONAL JUDICIARY SYSTEM

U.S. Court of Customs and Patent Appeals

U.S. Court of Military Appeals--(G.I. Supreme Court)
Military Court of Review (Army, Air Force, Navy)

U.S. Territorial Courts

1. Quasi-legislative or judicial in tasks
2. Aid in administration of particular congressional statutes
3. Render advisory opinions--declaratory judgments

FIGURE 4

COLUMBUS-FRANKLIN COUNTY COURTS

Courts (County)

Franklin County Municipal Court
375 South High

Franklin County Court of Appeals
369 South High

Franklin County Court of Common Pleas (Grand Jury)
369 South High

Franklin County Court of Domestic Relations (Juvenile Court)
50 East Mound

Plus: many local mayors' courts throughout the county

Corrections

Corrections--a term used to describe the subsystem in the criminal justice system to house and maintain persons convicted of crimes and sentenced to an institution. It includes all aspects of community and/or institutional supervision of convicted persons including parole, probation, work release, incarceration, and so forth. The term corrections may or may not adequately describe what really happens to a person so incarcerated. There is, in fact, some doubt as to whether or not persons are corrected as the term might imply. Warehousing and the storing of persons for future release might be a more appropriate description.

In the Franklin County area we have several institutions, the Columbus city workhouse and the county jail. Additionally, there is the Columbus Correctional Facility (CCF), which is used as a hospital, diagnostic, and classification center for the state institutions. The Women's Correctional Admissions Center (WCAC) is also located in Columbus for classification of female offenders to be sent to the Marysville institution. Several local police departments have holding facilities as well.

Throughout Ohio there are many state institutions under the Ohio Department of Rehabilitation and Corrections to which our offenders are sent. A partial listing of these institutions is as follows:

Ohio Reformatory for Women (ORW)
Marysville, Ohio

Lebanon Correctional Institute (LECI)
Lebanon, Ohio

Chillicothe Correctional Institute (CCI)
Chillicothe, Ohio

Southern Ohio Correctional Facility (SOCF)
Lucasville, Ohio

London Correctional Institution (LOCI)
London, Ohio

Marion Correctional Institution (MCI)
Marion, Ohio

Southeastern Ohio Training Center (SOTC)
Lancaster, Ohio and the

Ohio State Reformatory (SR)
Mansfield, Ohio

There are at least a dozen of these institutions, including the ones here in the Columbus area. Each facility or institution has different clientele, security measures, availability of education and training programs, prison industries, vocational programs, honor farms, and other factors.

Youthful offenders are generally sentenced to the Ohio Youth Commission. The Youth Commission has several facilities as well. They are the following:

Scioto Village--female

Buckeye Youth Center--male

T.I.C.O--male

In the following section of this PAK, we will briefly address what offenders experience as they leave the institution and attempt to start a new life in the free world.

TRANSITION FROM INCARCERATION TO FREEDOM

Many difficulties are encountered by offenders when they are released into the free world. The nature and extent of these difficulties depend on many factors. First, the individual may be released from a state institution with only "gate money" and accumulated institutional earnings. Second, the offender may face extreme difficulties in securing residential placement. A vast array of other human needs are also apparent. If, on the other hand, the offender is released from the local city workhouse or county jail, the difficulties may not be as great, since 90 percent probably never left their community.

Family ties and personal friends may play a role in helping the offender re-adjust to the free world. Service providers and reintegration centers can also be of great assistance in helping the offender adapt during this transition.

Incarceration, no matter what type of institution in which the individual is placed, is like entering another world, replete with confusing and difficult adjustments. No one is ever quite the same after experiencing incarceration. The loss of freedom and individual personal rights is an experience likely to leave permanent scars.

The transition into an institution is a shocking experience, and while there, the individual becomes a disenfranchised person. These people become dependent on the city

county, state, or the federal government for their existence. Room and board, health care and treatment are provided solely at the discretion and the expense of that institution. All of these factors combined lead to difficult re-adjustment problems upon release of the offender. Perhaps the experience can best be described as "living death," which may be why inmates describe their time spent incarcerated as "dead time."

The difficulties offenders experience in becoming successful in the free world are often described as barriers. In the next section we will elaborate on those barriers to include their effect on the offenders' training and employment.

Barriers Offenders Face

Offenders who either return to their home community or reintegrate into a new community from an institution face many problems. Some of those problems can be described as real or artificial barriers to the offender.

Real Barriers

Real barriers would be those legal or societal barriers established to further punish or deny the rights of offenders. Special restrictions are placed on offenders regarding licensing laws (including a driver's license, and certain occupational licenses), right to serve as a juror, right to serve as an executor of an estate, some federal contracts, and the right to be an elector. Some occupations in Ohio that are restricted for offenders are those of barber, funeral embalmer, practical

nurse, registered nurse, police officer, optometrist, pharmacist, physical therapist, private investigator, real estate broker, and veterinarian.

Real barriers to the offender might also include mental and physical disabilities such as: drug addiction; visual, auditory, or physical handicaps; alcoholism; epilepsy; paralysis; (mental) retardation; probation; and parole.

Artificial Barriers

Artificial barriers to the offender might include society's attitudes towards them, discrimination, inability to meet bonding requirements, employer attitudes, illiteracy, learning disabilities, lack of skills training, dissatisfaction with intended occupation, poor or no counseling, institutional scars, poor economic conditions, difficulty with employment applications, family disruptions, and racial discrimination.

Other artificial barriers might include the offender's attitudes toward motivation, narrowness of opportunities, self-determination, institutionalization, differential access, the need for long-term goals as opposed to short-term gratification, anger, past failures, depression, and frustration.

To eliminate these barriers, society must reexamine its real or legal barriers and put forth efforts to amend or revise archaic licensing laws, permitting the return of full rights to offenders and the elimination of nonfunctional licensing laws.

In the area of artificial barriers, society must eliminate illiteracy among our offender population; train and educate offenders for the right reasons; provide human and social services most needed by offenders; and provide counseling and assistance.

Many offenders are kept from getting good jobs just because they have a record, or because of minimal exposure to the world of work or no high school diploma. To eliminate these and other artificial barriers, education and training must be provided to improve motivation and attitudes towards work. In some cases, emergency welfare assistance must be made available to them.

The stigma of being an offender or "ex-con" is in some cases a forfeiture of a self-rewarding and productive life, and is a life-long punishment. It has been stated by some that an offender, especially if convicted of a felony, will experience a "cruel death" or corruption of the blood. Any society can change these kinds of disruptive attitudes and provide these persons with the incentives to change and improve their lives through the same opportunities to success as everyone else.

Comments on Recidivism

Recidivism is a tendency to relapse into a previous condition or mode of behavior. How an offender recidivates is sometimes a complicated process. It could occur as a result of probation or parole revocation, or in other words, if offenders violated the rules of their probation parole, prerelease, shock probation, or shock parole. Parole violation will generally,

if it is serious enough, result in a parole revocation hearing with the Parole Board. On the bright side of the picture, the Ohio Adult Parole Authority estimates that less than 15 percent of their clients recidivate.

Another way an offender might recidivate is to commit a new crime. In this case the offender could be convicted and returned to an institution. In either case, the offender starts the criminal justice process all over again as a repeat offender.

FIGURE 5

BARRIERS TO TRAINING AND EMPLOYMENT

External (Environmental)

- Unavailability of training
- Licensing demands
- Sentence length
- Lack of or poor counseling
- Institutional constraints
- Previously trained, wrong reasons
- Differential access to programs
- No sustained work record
- Stigma of a criminal record
- Lack of opportunities
- Instutionalization
- Too many clients and too few service agencies

Legal Constraints

- Drivers licensing laws
- Job elimination because of record (public service, Department of Defense contractors, banks, Armed Services)
- Ohio Revised Code and licensing laws: barbering practical nursing, physical therapy

Internal (Personal)

- Self-determination
- Stigma of a criminal record
- No motivation
- Functional literacy (low reading levels)
- Learning disabilities
- Dissatisfaction with intended occupation
- Immediate versus long-term gratification

Physical/Mental

- Drug addiction
- Alcoholism
- Illness (diabetes, epilepsy, paralysis)
- (Mental) Retardation

Attitudinal (Societal) Constraints

- Employer discrimination
- Difficulty with employment applications (restrictive)
- Racial discrimination

FIGURE 5 (Cont'd.)

BARRIERS TO TRAINING AND EMPLOYMENT

Legal Constraints

- Right to vote (allowed in Ohio)
- Right to serve on a jury
- Right to serve as executor of an estate
- Right to be an elector
- Employment by federal contractors (some states)
- Hold government office of honor, trust, or profit
- Revocation of certain licenses
- Legal system itself
- Probation and parole regulations (location of occupations)
- Bonding requirements
- A moral character requirement
- Denial of a license because of offenses involving moral turpitude

Attitudinal (Societal) Constraints

- Service agency attitudes
- Service agency priorities
- Employer attitudes
- No incentives for employers to hire

General Barriers

- Trade union policies (membership restrictions)
- Lack of demand in the labor market (for example, in areas of welding, auto mechanics, and auto body repair)
- Restrictive requirements for entry into apprentice programs
- Minimal exposure to world of work
- Lack of vocational skills or vocational aptitude
- No high school diploma
- Inadequate preemployment skills
- Not eligible for emergency welfare assistance

SUMMARY

To summarize, we have attempted to provide the reader with an overview of the offender, the offender in our community, and the criminal justice nonsystem. The following figure 6 was written by young persons and uniquely describes the offender and offender problems of re-adjusting to society. The article appeared in the June 21, 1981, Columbus Dispatch and should bring an appropriate close to this PAK of information.

The reader who is interested in further understanding the offender, offender problems, and comprehensive planning for offender services should consult part 3.

FIGURE 6

WHEELS OF FORTUNE TURN FOR EX-CONVICTS
CHILDREN'S EXPRESS

Editor's Note--The following was written by Gary Rosser, 12, Bob Blumenfield, 13, and Jennifer Avellino, 13 and edited by Aaron Retica, 14 and Jay Blumenfield, 15. It is part of a two-part series on "the prison cycle."

Ex-convicts usually can't get a job, especially if they are not educated. A lot of ex-convicts go back to being a criminal for that reason.

Many ex-cons think people can see this imaginary label on them that says "I'm an ex-con." People coming out of jail also lack confidence because for years they've been told where to go and what to eat and what to wear. They think they need to be told what to do.

The Fortune Society tries to get ex-cons back into the normal stream of life and it tries to keep people--especially young people--out of jail.

David Rothenberg is founder and executive director of the Fortune Society. He works with the people our society fears and has labeled criminals and would be scared to work with. He doesn't seem like a guy who would sit back in his chair. He's a person who wants right to be done, and he seems like a tough guy.

"If you are concerned about your safety, you had better be concerned about the opportunities for people coming out of prison," he told us in a recent interview. "I think we should have less people in prison because they get worse when they are locked up. They get more violent, they get more hostile."

"We are trying to help them develop their own potential, channel their anger, build their self-confidence and create opportunities for them so it narrows the need for them to commit crimes, because they see something else happening in their lives. Prison only addresses that part of them which got them into trouble in the first place. It almost nurtures it. It fans the flame."

"Some people, at a given time, must be separated from us because they represent a danger to our safety," Rothenburg continued. "Those are the ones you read about in the newspapers. But most prison wardens will tell you that well over 50 percent of the people in prison right now could be let out tomorrow and

not endanger your safety. But the longer they are in prison, the more likely they are to become violent because prison is violent."

We learned that well over half of the adult prisoners started out in the juvenile institutions. A majority of those were "status offenders" which means runaways or truants, for example, who did not commit any crime. But jails teach people to be mean. Too many of those juvenile institutions give kids drugs to control them, put them into solitary confinement and abuse them. They don't make people better.

"The prison system is like watering a stink weed," Rothenberg said. "You let it grow wild in there and that's what happens to kids when they get locked up. A lot of the anger is fanned and the problems are never dealt with."

A lot of it starts with little kids whose homes are really bad places to be--so they're in the street. That's where they learn all the bad things!

"The 'bad guys,' the 'outlaws' are picked out as early as the second and third grade," Rothenberg said. "The teacher gives them labels. They know they're the bad guys and the other kids know it too."

"The bad guy is likely to come from a large family living in a small space. There is a lot of fighting and screaming at home and when he goes to first grade it is the only quiet place and he falls asleep there."

"As early as the second grade, the bad guy has already fallen so far behind that he is afraid to be called on because he will look stupid in front of everybody else. So he will do something stupid like make a loud noise or spit on the floor so that he won't be called on. So he is always out in the hallway because he is kicked out of class."

"The teachers don't want to deal with the bad guy so they just keep promoting him even though he can't read or write. They just want him out of their class so they promote him. Later on, nobody can understand why he can't read or write because when you talk to him he is very intelligent and he can figure out everything when he is selling dope and committing crimes." (The Columbus Dispatch, June 21, 1981)

GLOSSARY

Criminal Justice Terms

Adjudication. The process of determining guilt or innocence.

Advisement. Informing individual of his rights.

Appeal. Resorting to a superior court to review the decision of an inferior court or administrative agency.

Appearance Bond. Type of bail bond required to insure presence of defendant in criminal cases.

Apprehension. The seizure or arrest of a person.

Arraignment. Procedure whereby the accused is brought before the court to plead to the criminal charge in the indictment or information.

Arrest. The act of depriving a person of his or her freedom in a significant way.

The taking into custody of an individual by an officer of the law, usually the police. The purpose of arrest without a warrant is to begin the formal proceedings that culminate in a court hearing. Not all arrests are prosecuted, however. Nationally, perhaps 20% to 30% of all arrests are dismissed by the police or the prosecution before a court appearance. A summons or citation can also initiate court proceedings, but under this procedure an individual is not taken into custody. Arrest pursuant to a warrant is based upon an order of the court which has found that probable cause exists to believe that a crime has been committed and the defendent committed the crime.

Arrest Warrant. A document issued by a court ordering law officers to arrest a specified individual.

Bail. A guarantee, usually in the form of money, required by a judge or determined by statutes, that must be provided by an arrested person in exchange for freedom from jail prior to trial or an appellate hearing, to be forfeited if the defendant does not appear for trial or hearing.

Bench Warrant. An arrest warrant issued by the court because of an offense to the court, usually failure to appear for a scheduled court appearance.

Bill of Indictment. An accusation in writing presented by a grand jury, charging the person named therein with a criminal offense.

Bondsman. A specialized businessman who posts bond for the full bail amount, charging the individual a percentage fee (usually between ten and twenty percent).

Booking. The process of entering in the official arrest record the suspect's name, the offense charged, and the time and place of the occurrence of the event, usually done at a police station by the arresting officer.

Calendaring. When a further court appearance is required in a case, it is put on the court calendar for a future date.

Charged. Accusation of crime by complaint, indictment, or information.

Circuit Courts. Originally, courts that were held by judges who followed a circular path hearing cases periodically in various communities; however, it now refers to courts with several counties or districts within their jurisdiction.

Citation. A summons; an official notice to appear in court.

Common Pleas Court. Where used in the United States, courts with this title are usually courts of general and original jurisdiction.

Commutation. Termination of a sentence.

Complaint. In criminal law, a charge, preferred before a magistrate having jurisdiction, that a person named has committed a specified offense, with an offer to prove the fact, to the end that a prosecution may be instituted.

Confinement. Imprisonment in a jail, penitentiary, or other correctional institution for a specified length of time. This period may be shortened by parole, credit for "good time."

Control. Controlling individuals and custody of individuals is an aspect of maintaining adequate supervision of individuals to control their movements. It therefore also means to restrict by control one's movements.

Convict. (verb) To find a man guilty of a criminal charge, either upon a criminal trial, a plea of guilty, or a plea of nolo contendere.

Convict. (noun) One who has been adjudged guilty of a crime and is serving a sentence as a result of such conviction. A prisoner.

Conviction. In a general sense, the result of a criminal trial which ends in a judgment or sentence that the accused is guilty as charged.

Corrections. All the officially organized and sanctioned actions to which offenders are subjected as a result of their conviction of crime(s), whether these be juvenile offenses, misdemeanors, or felonies.

Counsel. Attorney or counselor. Advice and assistance given by one person to another in regard to a legal matter, proposed line of conduct, claim, or contention.

Court. A tribunal of one or more judges assembled to conduct the affairs of law and justice.

Crime. A positive or negative act in violation of penal law; an offense against the State or United States. Any act or omission prohibited by law for which there is a specified fine or punishment.

The aim of the criminal justice system is to identify individuals who have committed a crime and to punish them. Crimes may be either felonies (a serious crime, punishable in most states by incarceration for one year or more) or misdemeanors (less serious crimes, punishable by incarceration for a term less than one year). Violation of a local ordinance of the city or county government is a third type of crime. These minor disturbances include public drunkenness and disturbing the peace and will usually have maximum penalties of jail terms of 30 days.

Criminal Justice System. The agencies society entrusts to operate the criminal justice system and the apparatus that identifies, accuses, tries, convicts, and punishes offenders against the norms of society expressed in law. Major subsystems include the police, the prosecution, the courts, probation, corrections, and parole.

Criminal Law. The division of law that deals with crimes and their punishment as distinguished from civil law.

Custody. Means a custodial aspect the state assumes over persons convicted of a crime or crimes. If you are in custody, the state assumes total responsibility for your well being. This is a traditional aspect of corrections, whereas, individuals held by the state are under that state's custody.

Defend. To represent defendant in administrative, civil, or criminal proceeding.

Defendant. In criminal law, the party charged with a crime; as distinguished from the plaintiff.

Defense. Evidence offered by accused to defeat criminal charge.

Defense Attorney. Lawyer who files appearance in behalf of defendent and represents such in civil or criminal case.

Defense Rehabilitative Services. In some jurisdictions the public defender agency representing indigent defendants will provide rehabilitative services to their clients, including employment assistance. The defendant's success in this program may be used as the basis for a recommendation to the judge that incarceration is not necessary and that a sentence of probation upon conviction is preferable. Another variant is for the defense agency to help with the development of a "probation plan" during the period after conviction but before sentencing, so as to demonstrate the availability of alternatives other than incarceration.

Deferred Sentence. Deferred plea, deferred prosecution: a form of probation in which the court delays sentencing for a period of time, permitting the defendant to go into the community under probationary supervision.

Desertion of Probation. A probationer who has failed to report to the probation officer as required and who cannot be located at his last address.

Detainer. A written order of the probation/parole officer to a jail, giving authority to hold a probationer/parolee pending further court action.

Detention. To hold in custody. Usually indicates the period of time between arrest and the preliminary hearing. The jails or holding facilities of the police are often referred to as detention facilities.

Direct Violation. Revocation of parole because of a new arrest.

Dismissal. An order or judgment finally disposing of an action, suit, motion, etc. without trial of the issues involved.

Disposition. Formal decision of the court or parole board for handling a case.

Diversion. Programs which are specifically designed to keep individuals from entering the criminal justice system.

Due Process. Those procedures and safeguards necessary to ensure individual that he or she will have a fair trial or hearing.

Education. All state correctional institutions offer a variety of educational and training programs. Whereas, most-local jails do not offer any educational or training programs, Ohio with its unique internal school district, offers a variety of offerings ranging from basic adult literacy to college four-year degree programs from local colleges. Success of these programs, including the traditional vocational offerings has not been measured. More research needs to be done in this area to follow-up on post-release success of inmates who participated in these programs.

Evidence. All the materials or means admissible in a court of law to produce in the minds of the court or jury a belief concerning the matter at issue.

Felonies. Are crimes for which the law provides penalities of more than one year in confinement or fines over a certain specified amount.

Felons. Are persons who have been convicted of felonies.

Furloughs. Releases for a specified time for a specified purpose.

Gault Decision. The decision of the U.S. Supreme Court establishing that minors have many of the same constitutional protections as adults.

Good Time. A deduction from an inmate's term of imprisonment for good behavior.

Grand Jury. A jury of inquiry who are summoned and returned by the sheriff to each session of the criminal courts, and whose duty it is to receive complaints and accusations in criminal cases, hear evidence adduced on the part of the state, and find bills of indictment in cases where they are satisfied a trial ought to be had.

Grand Jury Investigation. Investigations conducted by a grand jury into possible wrongdoing.

Guilt. A formal admission of guilt in which the defendant waives the rights to a judge or jury trial, to confrontation and cross-examination of witnesses, and to require the prosecution to prove guilt "beyond a reasonable doubt."

Habeas Corpus. A writ of order requiring that a prisoner be brought to court to decide whether he is being held lawfully.

Halfway House. A temporary home for persons released from institutions, which allow the individual a period of re-adjustment to community life. Some communities have halfway houses that provide care for a person in lieu of institutional care; some serve special groups such as alcoholics.

Hearing. Proceeding of relative formality, generally public, with definite issues of fact or of law to be tried, in which witnesses are heard and parties proceeded against have right to be heard, and is much the same as a trial and may terminate in final order.

Imprisonment. The act of putting or confining a man in prison. The restraint of a man's personal liberty; coercion exercised upon a person to prevent the free exercise of his powers of locomotion.

Incarceration. Imprisonment; confinement in a jail or penitentiary.

Indeterminate Sentence. A sentence that fixes the term of imprisonment only within certain limits, leaving the exact amount of time to be determined by administrative authorities.

Indictment. A formal written accusation originating with a prosecutor and issued by a grand jury against a party charged with a crime.

Information. An accusation exhibited against a person for some criminal offense, without an indictment.

Initial Appearance. During an initial appearance, the judge or magistrate normally informs the defendant of the charges, appoints counsel if the defendant has no money for legal fees, and decides whether and on what conditions the defendant should remain free pending trial. At this point, there are various options for releasing a defendant. These options include bail, security bond, cash bond, release on recognizance (ROR), supervised release, third-party custody.

Inmate. A person confined to a prison, penitentiary, or the like.

Interstate Compact. An agreement between the fifty states by which each state agrees to accept the parolees and probationers of other states for supervision, under certain circumstances.

Jail. A gaol; a prison; a building designated by law, or regularly used, for the confinement of persons held in lawful custody. A place of confinement that is more than a police station lockup and less than a prison. It is usually used to hold persons either convicted of misdemeanors (minor crimes) or persons awaiting trial.

Judges. A public officer, appointed to preside and to administer the law in a court of justice.

Jurisdiction. The statutory authority to hear specified types of cases.

Juvenile Courts. Courts with special original jurisdiction over juvenile cases.

Juvenile Delinquency. (1) Conduct considered criminal if committed by an adult; (2) Other behavior considered delinquent because of special status of juveniles, i.e., truancy.

Lockup. A place of detention in a police station, court or other facility used for persons awaiting trial.

Misdemeanor. Is a crime that carries a potential sentence of one year or less in confinement or a fine below a certain specified amount (say, $5,000). Persons convicted of misdemeanors are commonly referred to as misdemeanants.

Morrissey Decision. An opinion of the U.S. Supreme Court which guarantees a person due process in parole revocation matters. The due process rights include: advance notice, right to a hearing, right of confrontation of adverse witnesses, right to be present and refute evidence, limited right to counsel, and right to written summary of the hearing with reasons for the decision.

Motion. An application made to a court or judge for purpose of obtaining a rule or order directing some act to be done in favor of the applicant.

Nolo contendre. "No contest"--not an admission or denial or guilt, but consent to entry of a conviction; the rights waived by a guilty plea are also waived with this plea.

Nonconfinement. A sentence permitting the defendant to return to or remain in the community for a specified time under specific conditions. It may be imposed after court has suspended a sentence or incarceration. The return to the community may be supervised or unsupervised.

O.R. (also ROR). Release on own recognizance, a court decision to release the accused on his promise to appear in court, rather than setting bail.

Offender. Commonly used in statutes to indicate person implicated in the commission of a crime and includes person guilty of a misdemeanor or traffic offense.

(A) Any person who is or has been confined in any type of correctional institution, or assigned to a community-based facility, or who is or has been subject to any stage of the judicial, correctional, probationary process where manpower training and services may be beneficial as determined by the Secretary of Labor, after consultation with judicial, correctional, probationary or other appropriate authorities; or (B) An adult or juvenile who is confined in any type of correctional institution and also includes any individual or juvenile assigned to a community-based facility or subject to pretrial, probationary, or parole, or other stages of the judicial, correctional, or probationary process where manpower training and services may be beneficial, as determined by the Secretary, after consultation with judicial, correctional, probationary, or other appropriate authorities.

One-to-One. The helping relationship between an offender and a volunteer or staff member who functions as friend, counselor, and advocate.

Parole. The administrative act of releasing an offender from incarceration while retaining the legal custody of the offender. This release prior to completion of sentence is conditional upon maintaining standards of conduct prescribed by the parole board.

Parole Revocation. The decision of a paroling authority to return parolees to serve their sentence in an institution because they did not live up to the conditions of parole.

Partial Confinement. This condition usually made available by statute permits the offender to be confined in prison during nonworking hours. During working hours, the offender is released to pursue employment in the community.

Penitentiary. A prison or place of confinement where convicted felons are sent to serve out the term of their sentence.

Plaintiff. The person or party who initiates a legal action against someone or some party.

Plea. A formal answer to the charges.

Plea Bargaining. An arrangement whereby a defendant enters a plea of guilty to a lesser offense in return for dropping the original charge and imposing a lighter sentence.

Police. Have the responsibility for detecting crime, investigating it after it has come to their attention, apprehending offenders, and gathering evidence to be used in the prosecution of those accused.

Post-plea Diversion. Defendant is required to enter a provisional plea of guilty before being enrolled. A defendant who fails to complete his diversion program is thus already adjudicated guilty of the crime charged, but successful completion results in withdrawal of the provisional pleas and dismissal of the charges.

Preliminary Hearing. The hearing by a judge to determine whether a person charged with a crime should be held for trial.

Pre-sentence Investigation. Investigation of the relevant back ground of a convicted offender, usually conducted by a probation officer attached to a court, designed to act as a sentencing guide for the sentencing judge.

Pre-trial Diversion. Conditional deferment of prosecution in specified types of offenses. Use of diversion is heavily dependent on development of a community based and monitored rehabilitative program (i.e., drug treatment, half-way house). If a client does not respond positively to deferment program, he or she is subject to prosecution.

Prison. A public building or other place for the confinement of persons, whether as a punishment imposed by the law or otherwise in the course of the administration of justice. The words "prison" and "penitentiary" are used synonymously to designate institutions for the imprisonment of persons convicted of the more serious crimes, as distinguished from reformatories and county or city jails.

Probable Cause. An apparent state of facts sufficient in them selves to warrant a person of reasonable caution to believe that an offense has been or is being committed.

Probation. The release of a convicted person by a court under specific conditions for a specific length of time. It is an alternative to imprisonment. If the conditions of probation are not adhered to, the probation can be revoked and the offender sent to prison.

Prosecute. To follow up; to carry on an action or other judicial proceeding; to proceed against a person criminally.

Prosecution. A criminal action; a proceeding instituted and carried on by due course of a law, before a competent tribunal, for the purpose of determining the guilt or innocence of a person charged with crime.

Prosecutor. Is charged with representing the government in the prosecution of criminal defendants while simultaneously seeing that the ideal of justice is served.

Prosecutorial Screening. In many jurisdictions, this follows arrest. The prosecutor reviews the case with all persons involved and makes a decision as to whether or not formal charges are filed. If formal charges are filed, the arrestee becomes a "defendant." It is at this stage that the decision is made regarding insufficient evidence, a reduction of the charges, or transfer of the arrestee to other alternatives, such as a CETA program.

Public Defender. Is charged with providing a defense for defendants who are too poor to hire their own private counsel--a majority of criminal defendants.

Punishment. Is the intent of incarceration of individuals into some institutional environment to punish rather than rehabilitate. Penal institutions are desiqned to punish rather than to do anything else. Only since the early 20th century has education and treatment with thematic rehabilitation has existed.

Recidivism. The number of offenders who return to an institution or are again processed by the criminal justice system. It is used as a measure of the effectiveness of programs or institutions involved in corrections.

Reformator. A penal institution for youthful offenders where the emphasis is on reformation of the juvenile's behavior.

Release. Imposes certain conditions to which the releasee must adhere. These conditions include reporting periodically to a specified person, cooperating with the parole officer, and following other conditions which are set before the release date.

Release on Recognizance (ROR). Return of the defendant to the community without the posting of bail collateral following a promise to appear in court as required. The defendant must show sufficient "roots in the community" such as a job, family, and permanent place of residence. In some jurisdictions a staff will interview detainees to determine their eligibility for ROR and recommend to the judge whether the accused should be released and under what conditions.

Remand. To send a prisoner or defendant back into custody to await trial or further investigation; to send a case back to a lower court for additional proceedings.

Residential Treatment Centers. Non-custodial institutions located in the community which provide programs for certain types of offenders.

Restitution. Reimbursement to the victim of a crime for loss or for expenses incurred because of the crime; often imposed as a condition of probation.

Search Warrant. A written order by a judge, ordering law officers to search a designated place or person for specified materials.

Screening. The removal of selected persons from the criminal justice process.

Security. It is the intent of all correctional facilities, jails, and holding cells to secure those persons within. Our society has deemed it government's responsibility to secure those convicted of a crime or crimes behind bars. "Behind bars," is not always the same as being secured, however, most penal institutions utilize barred windows and doors in some aspects of the facility design.

Sentence. The judgment formally pronounced by the court or judge upon the defendant after his conviction in a criminal prosecution, imposing the punishment to be inflicted.

Sentencing. The sentence imposed by a judge involves one or more of the following alternatives: non-confinement, probation, post-plea diversion, partial confinement, confinement, work/study/training release.

Status Offense. An offense committed by a juvenile that would not be an offense if committed by an adult, e.g., truancy, running away from home.

Stay of Imposition, Stayed Sentence. A court order which withholds the sentence of an offender to allow him or her to demonstrate the ability to function in the community.

Subpoena. A process issued by a judge to cause an individual to appear before the court.

Summons. To notify the defendant that an action has been instituted against him or her and that he or she is required to answer to it in court.

Supervised Release. Release of a defendant pending trial on promise to appear in court without bail and subject to court-imposed conditions. Conditions usually include the following: maintaining or seeking employment; reporting periodically to a supervisory authority; and/or remaining within the confines of the court's geographical jurisdiction. In addition, the defendant may be required to enroll in a specific rehabilitative program. Defendants violating these conditions may be required to post bond, or may be returned to jail.

Suspect. With reference to probable cause as grounds for arrest without warrant is commonly used in place of the word believe. A person reputed or suspected to be involved in a crime.

Suspended Sentence. A sentence of incarceration which has been stayed by the court, contingent upon conditions such as probation.

Technical Violation. Revocation of parole due to failure to comply with specified conditions.

Third-Party Custody. A specialized form of conditional release, with conditions in which a defendant is released in the custody of a particular individual or institution. The custodian promises to ensure that the defendant will appear when required. In some instances a community-based rehabilitative program can act as a third-party custodian, not only promising to ensure the defendant's appearance in court, but also endeavoring to afford the defendant specialized rehabilitative services.

Transitional Programs. Any programs designed to facilitate and support the return of an inmate to the community upon release from a custodial facility.

Treatment and Rehabilitation. Only in most recent times has treatment and rehabilitation become a factor in institutional (penal) life. Concerted education programs and rudimentary treatment programs began in our penal institutions around the 1930's. Since that time a litany of programs have been developed. Those programs include counseling, psychotherapy, remedial education and advanced education and training, social worker contact, job

readiness, institutional recreation and work, therapy, treatment both mental and physical care.

Many have stated that rehabilitation doesn't work, and that "nothing in corrections" works. This statement may not be entirely accurate. Obviously, these programs exist and their existence may have some impact on institutional clients. In any event, what does exist now probably did not exist fifty years ago.

Trial. The formal court process in which all the evidence connected with a case is presented and a decision is made as to the guilt of the accused.

Vacate Order. An order entered by the court which cancels an earlier court order.

Victim. The person who is the object of a crime or tort, as the victim of a robbery is the person robbed.

Victimless Crime. A criminal act such as drunkenness which does not injure anyone other than the one who commits it.

Violate. An action taken by a parole officer against an offender who has failed to comply with a specified set of rules.

Waiver. A voluntary decision by a defendant to eliminate a hearing, legal counsel, or some other procedure.

Warrant. An order for the arrest of an individual.

Witness. In general, one who, being present, personally sees or perceives a thing; a beholder, spectator, or eyewitness. One who testifies to what he has seen, heard, or otherwise observed.

Work Furlough. A program in which an institutionalized offender is released daily to work in the community and is locked up overnight; typically the offender is charged a daily fee for his or her stay at the work furlough facility, and a portion of his or her salary is appropriated for family support, if applicable.

Work/Study/Training Release ("Huber Law"). A sentencing alternative, usually made available by statue, to permit an offender to be confined in prison during non-working hours, but to be released from confinement to pursue employment in the community.

Workhouse. Place of confinement for persons convicted of lesser offenses. Such imprisonment is usually for a relatively short duration.

Youth Services Bureau. A division program for juvenile courts that eliminates non-criminal cases and petty first offenses from the courts' consideration by providing a resource to help a young person become less troubled or less troubling.

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